

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:00CV32

<b>H. DEAN ALLISON, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>DANIEL CONSTRUCTION COMPANY,</b>	)	
<b>INC., and DANIEL INTERNATIONAL</b>	)	
<b>CORPORATION,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the Court on Defendants' motion to quash and/or for a protective order filed January 31, 2008, motions for summary judgment as to particular Plaintiffs filed January 31, 2008, and their motion to dismiss for lack of jurisdiction filed January 30, 2008.

Counsel for the Plaintiffs and Defendants have advised the Court that all matters in controversy between all parties have been settled and there is no need for rulings on the pending motions.

**IT IS, THEREFORE, ORDERED** that the Defendants' motion to quash and/or for a protective order is **DENIED** as moot.

**IT IS FURTHER ORDERED** that the Defendants' motions for summary judgment as to Plaintiffs Roger D. Phillips, Lemuel Splawn, Donald Young, Charles Crisp and his wife, Sanford Littlejohn and his wife, Talmadge Crocker, Leon Mauney and his wife, Larry Broome and his wife, John Teague and his wife, and Roger Pate and his wife, are hereby **DENIED** as moot.

**IT IS FURTHER ORDERED** that the Defendants' motion to dismiss for lack of jurisdiction is **DENIED** as moot.

**IT IS FURTHER ORDERED** that the parties submit stipulations of dismissal, consent judgments, joint motions to dismiss, or other settlement documents closing this case on or before **JULY 1, 2008**.

Signed: February 25, 2008



Lacy H. Thornburg  
United States District Judge

